

APPROVED: Meeting No. 43-88

September 26, 1988

ATTEST: *Margaret R. Glearin*

MAYOR AND COUNCIL  
ROCKVILLE, MARYLAND  
Meeting No. 36-88

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, Maryland Avenue at Vinson Street, Rockville, Maryland, on September 26, 1988 at 7:30 p.m.

PRESENT

Mayor Douglas M. Duncan

Councilmember James F. Coyle  
(Arrived at 7:45 p.m.)

Councilmember Viola D. Hovsepien

Councilmember David Robbins

ABSENT

Councilmember Stephen N. Abrams

The Mayor in the Chair.

In attendance: City Attorney Paul T. Glasgow, City Manager Bruce Romer, Assistant to the City Clerk, Pam Gardner.

Re: CITY MANAGER'S REPORT

The City Manager reported the following:

1. Several community projects were sponsored this past weekend, September 24th and 25th. The Lincoln Park Family Parade and Festival was very successful; attendance at Rockville's Annual Oktoberfest was high; City of Rockville employees enjoyed an employee picnic. Mr. Romer thanked all the individuals who assisted in the organization of these events.

2. A complete report on the Cable T.V. conversion will be available September 27th.

Since time permitted, the Mayor suggested that other agenda items be

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viewed prior to the scheduled Citizens' Forum.

Re: CORRESPONDENCE

1. Lincoln Park Civic Association -- City's drug prevention initiative

Re: NEW BUSINESS

There being no objection from the Council, Councilmember Robbins proceeded to read a proposed proclamation, the full text of which can be found in Proclamation File No. 20 of the Mayor and Council, recognizing the Rockville Elks Lodge's 25th anniversary and its hosting of the Regional Elks Conference September 30 to October 2, 1988.

On motion of Councilmember Robbins, duly seconded and unanimously passed, the proclamation for the Elks Lodge #2296 was approved by the Mayor and Council.

RE: CITIZENS' FORUM

The Mayor opened the meeting for all those citizens who wished to address the Mayor and Council.

1. Alice Kelly, 401 West Montgomery Avenue, raised questions regarding the W. Montgomery Ave. reconstruction. Specifically, Ms. Kelly requested more details concerning the proposed special assessments and the types and placement of the proposed utility and cable television hook-ups. Mr. Romer explained the calculations which rendered the figures of the proposed assessments and went on to explain that under the staff recommendations, all wiring, except the highest wires, would be placed underground, with utility and cable television hook-up at the residence included in the assessment cost.

2. Patrick Woodward, representing the United Methodist Church, 111 North Van Buren, commended the staff for offering alternatives to the original proposal W. Montgomery Avenue proposal but stated that he, both as the

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representative of the church and personally, opposed the adoption of special assessments on property owners for the reconstruction improvements.

3. Margaret Johnston, 307 West Montgomery Avenue, addressed the Mayor and Council stating that crossing West Montgomery Ave. is dangerous and that there are not enough crosswalks. Mrs. Johnston also questioned the safety of brick sidewalks in inclement weather and asked how much money the city has allocated and if there has been consideration to spending those funds on community needs such as drug awareness programs and assistance to the homeless. Responding to the Mayor, Mrs. Johnston suggested that additional traffic lights would increase pedestrian safety; when the Mayor offered to have a staff member explain the city's budget to her, Mrs. Johnston stated that she felt the figures should be made available to all citizens. The Mayor explained that the information is available to the community during two public meetings which are held each Spring focusing on the budget. Referring to Mrs. Johnston's remarks on social programs, Councilmember Coyle reiterated that Rockville expects equity for all citizens.

Re: PRESENTATION: Haiti/Martin's  
Lane Project

Eileen McGuckian, Executive Director of Peerless Rockville reported to the Mayor and Council on the findings of the Haiti/Martin's Lane project at the end of a one-year study. She offered a slide presentation describing the history and cultural aspects of the community as well as the challenges it faces today and stated that the study has been funded for an additional year. Ms. McGuckian will report back to the Mayor and Council at that time.

Re: AWARD OF BID: TO PURCHASE  
HEATING OIL FOR MEMBERS OF THE  
COUNCIL OF GOVERNMENTS

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Invitations to bid were solicited on an escalating/de-escalating basis. Price adjustments will be computed using the average tank car, FOB Baltimore, computed and published in the NY Journal of Commerce. The following low bids were received and included the Montgomery County Energy Tax of .01332 per gallon, for which the City is not exempt:

STEUART PETROLEUM COMPANY - .47382 TANK WAGON DELIVERY  
STEUART PETROLEUM COMPANY - .43932 TANK TRUCK DELIVERY

Staff recommends award to Steuart Petroleum Company for both tank wagon and tank truck delivery in the amount of \$24,339.91.

On motion of Councilmember Robbins, duly seconded and unanimously passed, Bid # 90016620, for the purchase of #2 heating oil, was awarded to Steuart Petroleum Company.

Re: APPROVAL OF SWM WAIVER REQUEST  
#4-89 FOR WMATA PARKING LOT,  
CITY CENTER LOTS 16, 18 - BLOCK  
C, AND ACCEPTANCE OF 1.25 ACRES  
AT \$20,000 PER ACRE FOR THE  
STORM WATER MANAGEMENT PROGRAM.

The 1.2 acre site of the Washington Metropolitan Area Transit Authority (WMATA) parking lot is located just north of the center of Rockville on Park Road at Hungerford Drive in the Rock Creek drainage area. METRO plans to construct a parking lot to provide additional parking for the Rockville Station.

There will be an additional 1.25 acres (.075 acres on-site and 0.50 acres in the right-of-way) of imperviousness resulting from this development.

The runoff from this site enters an enclosed storm drainage system within Hungerford Drive and outfalls into the proposed Maryvale SWM Facility. The existing storm drain system has adequate capacity to accommodate the

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relatively small increase to the runoff from this site. The Maryvale SWM Facility has adequate capacity to provide control for the proposed sites discharge. Water Quality will be provided for on-site by means of a special inlet designed to remove oils and grit from the runoff.

Staff recommends that a waiver of SWM quantity control be granted and that a contribution of \$25,000 (1.25 acres at \$20,000 per acre) be accepted toward the City SWM program.

On motion of Councilmember Robbins, duly seconded and unanimously passed, SMA Waiver Request #4-89 for WMATA Parking Lot, City Center Lots 16, 18 - Block C, and acceptance of \$25,000 (1.25 acres at \$20,00 per acre) were approved.

Re: ADOPTION OF ORDINANCE: TO  
GENERALLY AMEND CHAPTER 18 OF  
THE "LAWS OF ROCKVILLE" SO AS TO  
BRING IT INTO COMPLIANCE WITH  
RECENT FLOOD INSURANCE PROGRAM  
REGULATIONS; TO RAISE THE  
PENALTIES FOR VIOLATIONS; TO  
ADD, DELETE, AND AMEND VARIOUS  
DEFINITIONS; TO AMEND VARIOUS  
SUBMISSION, DOCUMENTATION, AND  
NOTIFICATION REQUIREMENTS; TO  
ADD PROVISIONS RELATING TO  
MANUFACTURED HOMES AND  
BUILDINGS; AND TO OTHERWISE  
AMEND AND ADD VARIOUS PROVISIONS  
THROUGHOUT THE CHAPTER.

ORDINANCE NO. 32-88

On motion of Councilmember Robbins, duly seconded and unanimously passed, Chapter 18 of the "Laws of Rockville", entitled "Flood Management", the full text of which can be found in Ordinance Book No. 13 of the Mayor and Council, complying with recent national Flood Insurance Program Regulations was adopted as amended by the Mayor and Council.

Re: AWARD OF CONTRACT: BID #24-89  
FOR FURNISHING, DELIVERING AND  
INSTALLING COPIERS FOR CITY HALL

Two copiers were bid to replace existing Richohs, which are beyond repair. Due to the needs of departments on each floor of City Hall and a desire to reduce downtime, different specifications were used for each copier. The third floor has one copy machine for five departments and requires more features than the second floor machine, which serves three departments and is located next to the large Kodak copier.

In response to the city's Invitation to Bid, eleven bids were received. The bid amounts include the purchase price and one year service and maintenance. Group "A" is for copier for second floor, Group "B" is for copier for third floor. The bids received are as follows:

	<u>Group A</u>	<u>Group B</u>
1. MPI Business	\$15,314.56	\$14,096.53
2. Gestener Corp	\$15,457.95	\$15,457.95
3. A. Copy Inc.	\$18,385.50	\$22,234.50
4. Washington Photocopy	\$16,984.00	-NB-
5. Paul B. Williams	\$19,946.29	-NB-
6. Simplified Copier	\$20,547.47	\$20,547.47
7. T. Talbott Bond	\$22,107.99	\$22,107.99
8. Xerox Alt.	\$23,160.00	\$23,160.00
9. Xerox Corp.	\$29,398.40	\$29,398.40
10. A.B. Dick	\$32,062.64	\$32,062.64
11. Consolidated Photo	-NB-	\$24,914.09

The staff recommends that MPI Business Systems be granted the award for

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the second floor copier for a Sharp 9750 at a purchase price of \$10,543.56 plus one year maintenance and supply costs of \$4,771 for a total cost of \$15,314.56. The award for the third floor copier is recommended to Consolidated Photocopy Co., Inc., for a Konica 7090 RF at a purchase price of \$19,120.00 plus one year supply and maintenance costs of \$5,749 for a total cost of \$24,914.09. The purchase price for the two copiers exceeds the budgeted amount by \$5,469. Funds are available in the budget to cover the difference without additional appropriation.

Councilmember Hovsepian asked why the third floor copier award is not being recommended to the lowest bidder. Don Vandrey explained that consideration was given to the volume of copier demanded of the machine on the third floor and for that reason, Consolidated Photocopy's bid offered the most for the money.

On motion of Councilmember Hovsepian, duly seconded and unanimously passed, Award of Bid #24-89, Furnishing, Delivering and Installing for 2 Copiers for City Hall was awarded as follows:

1. Second floor copier to MPI Business Systems, Inc., for \$15,314.56 for a Sharp 9750
2. Third floor copier to Consolidated Photocopy Co., Inc., for \$24,914.09 for a Konica 7090 RF.

Re: AWARD OF CONTRACT: BID #31-89  
FOR MICROCOMPUTER EQUIPMENT AND  
SOFTWARE.

Invitations to bid for microcomputer equipment and software were issued to 60 companies and responses were received from 13. The bid was divided into four groups and respondents were instructed to bid on per-group basis. Low bids were received for each group as follows:

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Group	Low Bidder	Price Bid
A - IBM PS/2s and and peripherals	Government Technology Services, Inc.	\$ 38,392
B - Hewlett-Packard Printer	Compucom Systems, Inc.	750
C - Disk Drives/Modems	Microland of Rockville, Inc.	8,187
D - Software	IBIS Corporation	<u>12,605</u>
Total:		<u>\$ 59,934</u>

The staff recommends that each group be awarded to the bidder as listed above.

Mayor Duncan requested that in the future more information, to include a complete listing of the manufacturers, the vendors, and the bids submitted be provided for review. The Mayor stated that he could not vote on any item that may be associated with his employer, AT&T. To avoid the possibility of a conflict of interest, Mayor Duncan abstained from voting on this item.

On motion of Councilmember Coyle, duly seconded and passed, with Councilmembers Coyle, Hovsepian and Robbins voting aye, and Mayor Duncan abstaining, Bid #31-89 for Microcomputer Equipment and Software, was awarded as recommended by staff and listed above.

Re: DECISION AND INSTRUCTION TO  
STAFF REGARDING TO PROPOSED  
ORDINANCES REGULATING SMOKING IN  
PUBLIC PLACES.

The Mayor and Council decided to adopt the Montgomery County smoking regulations to apply within the City. The staff was instructed to prepare the ordinance adopting the County's smoking laws present at the next General Session. Additionally, the mayor instructed staff to prepare a letter for his signature to the County requesting that they look into the concerns raised by

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bowling alley operators in connection with the No Smoking law.

Re: ADOPTION OF POLICY ON SCHOOL  
BOUNDARY CHANGES.

Dr. Charles Haughey, representing the Advisory Commission on Public Education, recommended the adoption of the following proposed policy on school boundary changes, insofar as they affect Rockville city students.

"The Mayor and Council will make no recommendation on boundary changes affecting schools with City of Rockville students in attendance, except when all affected City of Rockville communities are in agreement either for or against the proposed change."

Upon motion of the Councilmember Robbins, duly seconded and unanimously the Public Education Advisory Commissions' proposal was passed into policy.

Re: DECISION AND INSTRUCTION TO  
STAFF REGARDING WEST MONTGOMERY  
AVENUE SPECIAL ASSESSMENT  
PROJECT.

Discussion focused on the special assessment levels throughout the city, the relative safety of brick versus concrete sidewalks, and the aesthetic value of brick walkways. Gerry Morningstar from Public Works responded to the Mayor and Council's questions and indicated that an example of the same type of walkway recommended borders City Hall.

The Mayor and Council recessed for ten minutes for a site visit. The meeting reconvened at 10:02 p.m.

For the next General Session, the Mayor and Council directed the staff to prepare an Action item for approval outlining the city's intent to proceed with the project on the basis of the design parameters demonstrated at the June 6, 1988 public hearing with the exception that the proposed decorative historic marker and roadway median be eliminated; and that the city will not

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impose special assessments for the West Montgomery Avenue project. Moreover, the staff was instructed to notify the Maryland State Highway Administration of the city's intent to proceed with the project and to write to all residents of West Montgomery Avenue explaining the reasons behind the decisions.

Re: ADJOURNMENT

There being no further business to come before the Mayor and Council in Work Session, the meeting was adjourned at 10:15 p.m. to convene again in Work Session on Tuesday, September 27, 1988, at 7:30 p.m. or at the call of the Mayor.